

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

MARKETING SERVICES, INC.,

PLAINTIFF,

VS.

CIVIL ACTION NO. 4:02CV272-P-A

**ADANI EXPORTS, LTD. and
ABU DHABI COMMERCIAL BANK,**

DEFENDANTS.

ORDER

In accordance with a Memorandum Opinion issued this day, **IT IS ORDERED AND ADJUDGED** that:

- (1) Abu Dhabi Commercial Bank's Renewed Motion to Dismiss or in the Alternative for Judgment on the Pleadings [87-1] is hereby **DENIED**;
- (2) Adani Exports, Ltd.'s Motion to Dismiss or Alternatively for Summary Judgment [88-1] is **DENIED**;
- (3) Abu Dhabi Commercial Bank's Motion for Summary Judgment Against Marketing Services, Inc. [96-1] is **DENIED**;
- (4) Abu Dhabi Commercial Bank's Motion for Summary Judgment On its Cross-claim Against Adani Exports, Ltd. [95-1] is **DENIED** with permission to refile should the plaintiff's case prove successful; and
- (5) Market Services, Inc.'s Motion for Preliminary Injunction [93-1] is **GRANTED**; accordingly,
- (6) Defendant Adani Exports, Inc. is hereby **ENJOINED** from continuing its litigation currently pending in, or pursuing any future recourse from, the Courts of India against Marketing

Services, Inc. or Abu Dhabi Commercial Bank involving issues arising from or related to the Contract for Sale of Cotton No. IN-12987 that is the subject of the instant case. This injunction shall be in full force until final resolution of the merits of the present case. Violation of this injunction shall subject Defendant Adani Exports, Inc. to the full array of sanctions afforded to the undersigned by the laws and treaties of the United States.

SO ORDERED this the 28th day of June, A.D., 2005.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE